

# Statement of Proposal



# Local Easter Sunday Shop Trading Policy 2017

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**HOROWHENUA DISTRICT COUNCIL  
LOCAL EASTER SUNDAY SHOP TRADING POLICY 2017**

**1. INTRODUCTION AND EXPLANATORY MATERIAL**

- 1.1 The Shop Trading Hours Act 1990 (the Act) provides for restricted trading days on Anzac Day morning, Good Friday, Easter Sunday and Christmas Day. The Act allows shops selling certain types of goods (for example, dairies, service stations, pharmacies, takeaway bars, restaurants, cafes, souvenir stores and garden centres) to remain open on the restricted trading days.
- 1.2 The Act was amended by the Shop Trading Amendment Act 2016 enabling territorial authorities to create local policies to allow shop trading across their entire district or in limited areas on Easter Sunday.
- 1.3 Horowhenua District Council recognises the importance of the retail trade to our District, and specifically the trade associated with passing traffic on state highways.
- 1.4 This Policy applies to the whole of the Horowhenua District – see map **attached**.

**2. SCOPE OF THE POLICY**

- 2.1 For the purposes of this policy, the meaning of a shop is the same as defined in section 2 of the Act:
  - *a building, place, or part of a building or place, where goods are kept, sold, or offered for sale, by retail, and includes an auction mart, and a barrow, stall, or other subdivision of a market; but does not include:*
    - (a) *a private home where the owner or occupier's effects are being sold (by auction or otherwise); or*
    - (b) *a building or place where the only business carried on is that of selling by auction agricultural products, pastoral products, and livestock, or any of them; or*
    - (c) *a building or place where the only business carried on is that of selling goods to people who are dealers, and buy the goods to sell them again.*
- 2.2 Under the Act, a local Easter Sunday Shop Trading Policy may not –
  - (a) permit shops to open only for some purposes; or
  - (b) permit only some types of shops in the area to open; or
  - (c) specify times at which shops may or may not open; or
  - (d) include any other conditions as to the circumstances in which shops in the area may open.
- 2.3 This Policy does not apply to the sale or supply of alcohol. Alcohol sale and supply is regulated under the Sale and Supply of Alcohol Act 2012.

**3. SHOP TRADING PERMITTED**

Shop trading is permitted on Easter Sundays throughout the Horowhenua District (see map **attached**).

#### 4. **SHOP EMPLOYEES' RIGHT TO REFUSE TO WORK**

All shop employees have the ability to refuse to work on Easter Sunday without providing a reason to their employer. There are "right to refuse" provisions in the Act which means that all employees will have the ability to refuse to work on Easter Sunday without any repercussions for their employment relationship.

#### 5. **REVIEW**

This policy will be reviewed within five (5) years of being adopted.

#### 6. **HAVE YOUR SAY**

- Post to : Local Easter Sunday Shop Trading Policy Submission, Horowhenua District Council, Private Bag 4002 Levin 5540;
- Deliver To : Horowhenua District Council, 126 Oxford Street Levin;
- Email to : [recordsprocessing@horowhenua.govt.nz](mailto:recordsprocessing@horowhenua.govt.nz);
- Fax to : (06) 366 0983.

Please note that submissions must be received by 5pm on Friday 6 October 2017.

# HOROWHENUA DISTRICT BOUNDARIES

